

IN THE CIRCUIT COURT OF LAFAYETTE COUNTY, MISSOURI
ASSOCIATE CIRCUIT DIVISION

JAN -5 2018

DEANA AVERISMAN
LAFAYETTE CO. CLERK

STATE OF MISSOURI

PLAINTIFF

V

Darrell L. McClanahan III

DEFENDANT

CASE NO. 16LF-CR00130-01

WAIVER OF RIGHTS AND PLEA OF GUILTY

The defendant appears in person and (without) (with) attorney Warren R. Markowitz. The Court informs the defendant of the nature of the offense(s), to wit:

The range of punishment provided by law, and further, defendant is advised as follows:

1. The State has the burden of proving the defendant is guilty beyond a reasonable doubt.
2. Defendant has a right to trial by jury or judge to determine the defendant's guilt or innocence; and a jury would have to be unanimous to find the defendant guilty.
3. Defendant has a right to representation by an attorney, and that if indigent (unable to pay an attorney) the State will provide a public defender to represent defendant.
4. Defendant has the right to cross-examine witnesses against him;
5. Defendant has the right to ask the court to subpoena (compel) the witness to appear for the defendant;
6. Defendant has the right to remain silent and not to make an statements which may be used in the prosecution of the criminal charges filed against the defendant;
7. Defendant has the right to appeal the court's judgment (decision) or the jury's verdict should the defendant exercise the right to trial and by found guilty;
8. That given the nature of the offense, there is a likelihood (possibility) that the judge will sentence the defendant to a jail term;
9. Defendant has been advised and understands recommendations by the prosecuting attorney or law enforcement officials are not binding on the judge and that any such recommendations may or may not be accepted by the judge.

I, THE UNDERSIGNED DEFENDANT, HEREBY ACKNOWLEDGE THAT I UNDERSTAND THE ABOVE INFORMATION AND THAT I FREELY, INTELLIGENTLY AND VOLUNTARILY WAIVE MY RIGHTS TO AN ATTORNEY (UNLESS DEFENDANT APPEARS WITH ATTORNEY), RIGHT TO TRIAL AND MY OTHER RIGHTS MENTIONED ABOVE AND THAT I ENTER A PLEA OF NO CONTEST

I AM NOT UNDER THE INFLUENCE OF ALCOHOL, DRUGS OR MENTAL DEFECT AND I HAVE NOT RECEIVED MISTREATMENT OR THREATS FROM ANYONE TO GET ME TO ENTER THIS PLEA OF GUILTY.

I HAVE RECEIVED NO PROMISES OF A LIGHTER SENTENCE, OR PROBATION OR ANY OTHER FORM OF LENIENCY IF I PLEAD GUILTY.

☒ EXCEPT. I HAVE REACHED A PLEA AGREEMENT WITH THE PROSECUTING ATTORNEY.

DATE: 12/27/2018

Defendant's

Witness by Judge or Clerk (unless Defendant
Appears with Attorney)

Attorney for Defendant

EXHIBIT

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